AGENDA
Facilities and Resources Committee
ECU Board of Trustees
Health Sciences Building, Room 4300
September 11, 2007

I. UNIVERSITY ADVANCEMENT

A. Capital Campaign Discussion

B. Marketing Branding Discussion

C. Alumni – University Conference Center Plan Discussion

II. ADMINISTRATION AND FINANCE

A. Minutes

1. Finance and Facilities Committee Meeting of March 28, 2007 Action

B. Facilities

1. Designer Selection for Croatan & Wright Place Renovation Feasibility Study Action

2. Master Plan Discussion

3. Moye Medical – Third Floor Lease Discussion

4. Other Topics of Interest Discussion

5. Designer Selections Approved by Finance and Facilities Since Previous Meeting Information

6. Status of Major Capital Projects Information

C. ITCS

1. Policy of Social Security Numbers and Personal Identifying Information Action
Item II.A.1. – Finance and Facilities Committee Meeting Minutes of March 28, 2007

Attached are minutes from the Finance and Facilities Committee meeting held on March 28, 2007.
Minutes of Finance and Facilities Committee Meeting  
ECU Board of Trustees  
March 28, 2007

Attendees: Mike Kelly, Chair, Bruce Austin, David Brody, Joel Butler, Steve Showfety, and Margaret Ward.

Mr. Kelly called the meeting to order at 3:07 p.m. Minutes were approved for the December 14, 2006 meeting of the Finance and Facilities Committee.

Mr. Kelly stated that a branding presentation meeting would be held at 4:30 p.m. on April 19, the day before the Board meeting, and Mr. Austin has agreed to serve on the branding committee. Mr. Martin passed around a drawing of a crosswalk for review. Crosswalks will be redone when the fountain is in place and roadways are repaved. Mr. Showfety requested that a report be given on April 19 from Lee Workman in Sports Marketing on the logo review so that duplication does not occur. Mr. Martin suggested that a Centennial Office representative also be involved with the branding committee.

Mr. Seitz presented an update on the 2007/09 budget. He called attention to Governor Easley’s budget recommendation to the General Assembly included in the meeting materials. Indigent care appears in the budget recommendation which is advantageous, however, operating funds for the dental school did not make it into the Governor’s budget. The legislature and ECU will try to prevail on the issues that are important for the campus. ECU will benefit in all of the categories listed under the authorized continuation budget and need-based financial aid. President Bowles’ top priority of competitive salaries for faculty was not funded. Merit-based increases recommended by the Board of Governors was 4% while the Governor recommended 2.5%. A model is being prepared for use of the $5M for indigent care, assuming that the funds are received. The mechanism will reimburse physicians in departments the same way an insurance company would reimburse for services rendered. Areas that perform more indigent care will received more assistance from the funds. Chancellor Ballard asked if Chapel Hill was required to report how their indigent funds are used, and Mr. Seitz replied that he had not seen any specific requests. Mr. Gerlach in the Governor’s office had questioned Mr. Seitz and Mr. Brody on how indigent funds, if received, would be used by ECU. Mr. Brody praised the methodology presentation given by Mr. Collins at the meeting with Mr. Gerlach. Mr. Showfety mentioned that the $5M is a fraction of services being provided by ECU. A discussion on indigent care, uncompensated care, Medicaid payments and requesting state funds followed.

Funding for the School of Dentistry ($90M) was included in the capital budget. Mr. Brody asked about the projected completion date for the dental building and Mr. Bagnell responded that 18 months was the projection. The Coastal Studies Institute was not included, but there may be additional appropriations from the General Assembly.

The 2007/08 ECU budget process has started with a projected completion goal of July 1, 2007. An all-funds approach is being taken to include state, facilities and administration, and auxiliaries including athletics and foundation budgets. The new tuition and fee schedule from the Board of Governors will require forecasts from auxiliaries for 2007/08 and 2008/09. Budget
planning has become a two-fiscal-year process. Chancellor Ballard indicated that UNC system schools have become overly dependent on campus-based tuition, and ECU has benefited due to increased enrollment. Costs for student safety, utilities, and hiring of new associate faculty have skyrocketed. With President Bowles initiative, more funds may be available from the state legislature, however auxiliary funding will be less flexible. Mr. Seitz stated that the new state formula will make increases more difficult for auxiliaries. Over time the process may be modified once the potential for problems is realized. Planning will be even more important after the new budget process takes effect for 2008/09. Mr. Showfety stated that the percentage of costs funded by the state legislature has dropped below 50%. The President’s office is trying to get the system back on track. Mr. Showfety asked how units monitor their budgets. Mr. Seitz indicated that budgets are reviewed electronically on a regular basis. Mr. Brody stated the role of the Trustees is not to micromanage, but to understand the process and provide input.

Mr. Seitz explained the budget process beginning with the Executive Council setting priorities in relationship to strategic directions. Priorities for this year are diversity, economic development, enrollment growth, leadership, marketing, research and graduate studies, and student success. Once priorities are set, anticipated new funds are evaluated for distribution. Approximately $1.5M will be available for 2007/08. Another $1.3M is kept in contingency. Other designated funds will be received for utilities, operating costs, salaries, etc. Materials and a letter from the Chancellor outlining priorities for the year are sent to the Vice Chancellors. The major financial officers in each division make up a Financial Support Team which meets on a regular basis, reviews requests and submits proposals through the Vice Chancellors to the Executive Council. A report was provided to the Board on how funds were distributed. When the state completes its budget process, divisions will be notified of any additional funds. Chancellor Ballard expressed his appreciation for the progress that has been made since Mr. Seitz came to ECU. He mentioned five strategic directions: health, economic development, visual and performing arts, student success and leadership, as well as federal, state and flexible funds priorities. He wants to insure that funds are being spent on projects that make the most difference and provide funds for entrepreneurial opportunities that may arise. Mr. Showfety commended Chancellor Ballard for his remarks and for working toward an open budgeting process. Mr. Brody recommended a visual aid, such as a flow chart, to track the budget process.

Mr. Showfety referenced the fire safety directive from the state, the improvements needed at ECU and how the housing budget would be affected as far as future development was concerned. Mr. Seitz indicated that $48M was requested by General Administration to help with the sprinkler system installation costs. ECU would receive approximately $7.8M, but not any construction funds if problems such as asbestos were encountered. Housing doesn’t have sufficient balances to fund the entire project, and other funds might have to be provided to meet the $10M estimate for the sprinkler systems.

Mr. Seitz provided a PACE update. The UNC President is committed to the effort to reduce costs and move funds from enabling funds to core functions (academic instruction, research and public service). The President outlined what he expects from UNC Chancellors in a letter. A final report is due in June with the expectation of dollars saved, reallocation of savings or cost avoidance, person responsible for each initiative and timelines for each initiative. The initial goal for the system was $500M, based on the review of finances for all UNC schools. ECU is
focused on meaningful projects for all divisions. Chancellor Ballard supports Mr. Bowles initiative but mentioned that since 2001, over $23M has been removed permanently from ECU’s base budget.

Mr. Seitz reported that everyone involved with the Medical Faculty Practice Plan project has been working very hard to find ways to increase revenues, reduce costs, establish a new program in business development, enhance facilities and patient services, and change governance and organizational structure of the practice plan. He is optimistic that the plan is headed in the right direction. Mr. Brody expressed his appreciation for the work done by Mr. Collins and Mr. Seitz. New leadership needs to be established as soon as possible.

Mr. Showfety asked about the temporary insurance negotiation of reimbursement rates with commercial insurance companies. Mr. Seitz stated that several agreements are under review and the process will continue as part of the revenue enhancement initiative until long-term agreements are in place. Mr. Showfety mentioned seeing a rendering of the proposed Family Medicine Center and would like to see the Trustees stay on top of the project. Mr. Bagnell stated that the Board will be advised as the project progresses and that Mr. Brody has been actively involved in the process.

Mr. Seitz presented four leases for review and approval. Lease agreements for the 2nd floor of Moye Medical Building and the Firetower Clinic were presented under the new delegated authority process for the MFPP. Mr. Buck offered explanations related to gross square footage, real estate tax escalation, and up-fit costs. A lease for the Wahl-Coates Elementary School and a lease for six outlying buildings utilized by Campus Operations at C.M. Eppes Middle School were also presented. All leases were approved by the committee and will be presented to the full Board for approval.

Mr. Seitz presented an outline of the proposed master plan and requested feedback from the Board. Fourteen responses have been received to an RFP for companies interested in assisting in the master planning process. A campus-wide approach is needed to maximize opportunities. Ms. Ward asked about 10th Street property purchases. Mr. Seitz and Mr. Buck gave a brief summary of 10th Street purchases and reasons for caution as purchases relate to master planning. Mr. Butler mentioned the west campus, its infrastructure such as student pedestrian walkways, sidewalks, etc., and sharing plans with PCMH. Mr. Seitz stated that as part of master planning PCMH would be considered a significant external constituent for coordinating efforts. Mr. Brody would like to see follow through with strategic planning and PCMH. Mr. Showfety agreed that long-range planning and land use is timely and he appreciates the leadership taking place. Mr. Showfety emphasized parking garages as an integral part of planning, especially as land costs continue to escalate.

Information on a rappel tower to be constructed on campus in support of the ROTC program was presented. Students in the Army ROTC program must travel to military bases in order to have rappel tower training. The final design, cost and site location are not available yet, but the committee’s support was requested. Mr. Brody asked about liability, and Mr. Buck indicated that some control is possible with fencing and locked gates. Mr. Lucas indicated that reasonable efforts to exercise care would cover legal issues. Mr. Butler suggested the possibility
of partnering with the Greenville Police Department and/or city/county agencies. Mr. Kelly did not see a problem with the tower being located on campus. Mr. Seitz will revisit the issue when final approval is needed.

Mr. Bagnell distributed a spreadsheet summarizing major capital projects and a summary of steps in developing a project. Mr. Lucas asked about the Ficklen Stadium project, and Mr. Bagnell responded that a master plan for the stadium had been developed and projects a complete buildout of what could be done.

Mr. Bagnell mentioned that a meeting with the design team and student life leadership regarding the Mendenhall project would take place to discuss proposals for reducing scope. The project is $8M over budget and decisions must be made to realign the project to the budget. Mr. Showfety would like to see the quad area west of the old cafeteria building enhanced as a green space if the Ledonia Wright Culture Center building is to be removed. Mr. Brody mentioned that architects like the green space on the central part of campus. Mr. Bagnell said that the cost of removal is being reviewed, but the building is viewed as a university asset with a student life function residing in the facility. It may be better to let it return to the academic campus as it relates to funding.

The East Carolina Heart Institute summary will be sent to the Board.

In December, 2005 the Board approved a motion in support of widening NC 43 from Health Sciences to Highway 264. PCMH, ECU, City of Greenville and DOT are partnering on the project. By providing local funds the project has moved along on the priority list. This will be an excellent entry to ECU’s Health Science campus. Mr. Kelly presented a motion to recommend to the Board to send a thank you to Marvin Blount for his efforts related to this project.

Mr. Seitz presented ECU’s plan for installation of residence halls sprinklers mandated by UNC General Administration to be completed by Fall semester 2010. The Board of Governors has approved a revision to their budget requesting $48M to cover the cost of the sprinklers with associated capital costs paid by campuses. ECU would receive approximately $7.8M. Options for Greek housing were discussed. Mr. Showfety would appreciate receiving a report from Student Life on Greek houses at the next meeting.

Mr. Kelly reviewed problems, such as privacy, noise and changes in family structure, with the Chancellor’s residence. Mr. Brody mentioned that part of the problem is perception and that the general community as well as the university community needs to be educated. The current residence is excellent for functions, but not as a residence. Mr. Showfety requested information regarding standards and living quarters of other Chancellor’s residences in the university system. Mr. Seitz indicated he would send another copy of a report that has been done. Mr. Butler stated that guiding principles would be helpful. Mr. Kelly suggested that General Administration might be interested in collecting information regarding Chancellor’s residences. Mr. Kelly recommended that this item be kept on the agenda.

Dr. Brinn gave an update on Banner implementation. ECU has the most comprehensive implementation of the 14 campuses using Banner. NC State and UNC-CH opted out of Banner. Implementation has gone smoothly with registration completed successfully and human resources to be operational by July 1. Advancement will be using another system which will be
interfaced with Banner. A new medical records project will be implemented during the summer on west campus. Dr. Brinn addressed the data security incident and called the committee’s attention to the summary and lessons learned distributed at the meeting. Process and management changes have been made. Dr. Brinn expressed concern regarding limited resources, career banding, funding of salaries, and vacant positions in his department.

The meeting was adjourned at 5:40 p.m.
Item II. B.1. – Designer Selection for Croatan & Wright Place Renovation Feasibility Study

Attached is a request for approval of Moser Mayer Phoenix Associates, PA of Greensboro, NC as the designer for the Croatan & Wright Place Renovation Feasibility Study.
MEMORANDUM

TO: John Durham
FROM: Kevin Seitz
DATE: August 28, 2007
SUBJECT: Designer Selection
Croatan & Wright Place Renovation Feasibility Study
Code: 40636  Item: 310

I would like to request that we ask the Board of Trustees Facilities and Resources Committee to approve the selection of a designer for the Croatan & Wright Place Renovation Feasibility Study.

Attached is the recommendation from the Designer Pre-Selection Committee. The firms are recommended in priority order; the firm recommended for first priority is Moser Mayer Phoenix Associates, P. A. of Greensboro, NC.

Thank you for your assistance. Please contact Bill Bagnell at (252) 328-6858 if you have any questions regarding this recommendation.

Attachment
cc: George Harrell
    Bill Bagnell
MEMORANDUM

TO: Kevin Seitz

FROM: William E. Bagnell

DATE: August 14, 2007

SUBJ: Designer Selection
Croatan & Wright Place Renovation Feasibility Study
Code: 40636 Item: 310

The designer pre-selection committee, after conducting interviews on July 25, 2007, recommends the following three firms in prioritized order:

- Moser Mayer Phoenix Associates, PA
- MHA works
- Small Kane Architects, PA

The committee consisted of Ms. Joyce Sealey; Dining Services, Mr. Bill Bagnell; Facilities Engineering and Architectural Services, Ms. Gina Shoemaker; Facilities Engineering and Architectural Services, Mr. Michael Talton; Facilities Engineering and Architectural Services and Mr. Ken Kisida; Facilities Services.

To the best of our knowledge and belief, all steps in this selection were conducted in accordance with requirements of the State Building Commission as they apply to the institutions of the University of North Carolina.

This project is a feasibility study for renovations to the Wright Place and the Croatan. Both of these locations serve as fast food dining locations for the University community.

Approval by the Board of Trustees is requested. If you have any questions or need additional information, please do not hesitate to call.

CC: Dr. George W. Harrell
Item II.B.2. – Master Plan

We will provide a status of our master plan project.
Item III.B.3. – Moye Medical – Third Floor Lease

This lease was approved by fax vote. Background information on the lease and the process used for approval will be discussed.
Item II.B.4. – Other Topics of Interest

This will be an opportunity for any committee members to raise topics they would like discussed.
Since the last Board meeting designer selections were made for the following projects:

- HSC Electrical Arc Flash Study
- HSC Steam Distribution Upgrades
- Greenville Centre Replacement HVAC System (Design)
- Cotton and Fleming Residence Hall Fire Sprinklers
- Mamie Jenkins Building Renovation
- Sanitary Sewer Upgrades, Minges Coliseum Area
- Dental School

Attached for your information is correspondence used in the selection process.
MEMORANDUM

April 5, 2007

TO: Bill Bagnell

FROM: George W. Harrell

SUBJECT: Designer Selection
HSC Electrical Arc Flash Study

We have received approval from four of the six Finance and Facilities Committee members approving the Designer Selection for the HSC Electrical Arc Flash Study. The firms were approved in the following order:

1. InfraSource Technology
   Raleigh, NC
2. Zapata Engineering
   Charlotte, NC
3. Affiliated Engineers East, PC
   Chapel Hill, NC

You may proceed with the next steps of the process.

George W. Harrell, PhD
Senior Associate Vice Chancellor
for Campus Operations

cc: K. Seitz
    J. Durham
MEMORANDUM

June 28, 2007

TO: Bill Bagnell

FROM: George W. Harrell

SUBJECT: Designer Selection
HSC Steam Distribution Upgrades

We have received approval from 4 of the six Finance and Facilities Committee members approving the Designer Selection for the HSC Steam Distribution Upgrades. The firms were approved in the following order:

1. Wiley & Wilson Engineers                      Lynchburg, VA
2. Affiliated Engineers East, P.C.               Chapel Hill, NC
3. Carter Burgess                                 Raleigh, NC

You may proceed with the next steps of the process.

[Signature]
George W. Harrell, PhD
Senior Associate Vice Chancellor
for Campus Operations

cc: K. Seitz
    J. Durham
MEMORANDUM

May 30, 2007

TO: Bill Bagnell

FROM: George W. Harrell

SUBJECT: Designer Selection
The Greenville Centre; Replace HVAC System (Design)

We have received approval from four of the six Finance and Facilities Committee members approving the Designer Selection for the Greenville Centre; Replace HVAC System (Design). The firms were approved in the following order:

1. SUD & Associates                         Durham, NC
2. EDi, Engineered Designs, Inc.            Raleigh, NC
3. Carter + Burgess                          Raleigh, NC

You may proceed with the next steps of the process.

George W. Harrell, PhD
Senior Associate Vice Chancellor
for Campus Operations

cc: ✅ K. Seitz
    J. Durham
MEMORANDUM

June 7, 2007

TO: Bill Bagnell

FROM: George W. Harrell

SUBJECT: Designer Selection
Cotton and Fleming Residence Hall Fire Sprinklers
Code: 40636 Item: 309

We have received approval from 4 of the six Finance and Facilities Committee members approving the Designer Selection for the Cotton and Fleming Residence Hall Fire Sprinklers Code: 40636 Item: 309. The firms were approved in the following order:

1. Polytech, Inc. Durham, NC
2. The Wooten Company Raleigh, NC
3. Sud Associates Durham, NC

You may proceed with the next steps of the process.

George W. Harrell, PhD
Senior Associate Vice Chancellor
for Campus Operations

cc: K. Seitz
J. Durham
MEMORANDUM

June 7, 2007

TO: Bill Bagnell

FROM: George W. Harrell

SUBJECT: Designer Selection
Mamie Jenkins Building Renovation
Code: 40636 Item: 320

We have received approval from 4 of the six Finance and Facilities Committee members approving the Designer Selection for the Mamie Jenkins Building Renovation Code: 40636 Item: 320. The firms were approved in the following order:

1. HH Architecture Raleigh, NC
2. JKF Architecture Greenville, NC
3. Davis Kane Architects Raleigh, NC

You may proceed with the next steps of the process.

George W. Harrell, PhD
Senior Associate Vice Chancellor
for Campus Operations

cc: K. Seitz
J. Durham
MEMORANDUM

July 23, 2007

TO: Bill Bagnell

FROM: George W. Harrell

SUBJECT: Designer Selection
Sanitary Sewer Upgrades, Minges Coliseum Area
Code: 40636 Item: 320

We have received approval from 4 of the six Finance and Facilities Committee members approving the Designer Selection for the Sanitary Sewer Upgrades, Minges Coliseum Area, Code: 40636 Item: 320. The firms were approved in the following order:

1. Municipal Engineering Services Company Garner, NC
2. The Wooten Company Raleigh, NC
3. Rivers & Associates, Inc Greenville, NC

You may proceed with the next steps of the process.

George W. Harrell, PhD
Senior Associate Vice Chancellor for Campus Operations

cc: K. Seitz
J. Durham
MEMORANDUM

TO: Bill Bagnell

FROM: Kevin R. Seitz

DATE: August 1, 2007

SUBJECT: Designer Selection for the Dental School

We have received approval from nine members of the Board of Trustees approving the Designer Selection for the Dental School. The firms were approved in the following order:

1. BJAC Raleigh, NC
2. LS3P Associates Charleston, SC
3. Lord AECK Sargent Chapel Hill, NC

You may proceed with the next steps of the process.

cc: George W. Harrell
    John Durham
Item II.B.6. – Status of Major Capital Projects

Attached is a spreadsheet updating the status of Major Capital Projects ECU is undertaking.
### Major Capital Projects Schedule Overview

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<th>2009</th>
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<td>Family Medicine Center &amp; Geriatric Center</td>
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<td>Mendenhall Student Center &amp; Ledonia Wright Cultural Center Addition and Renovation</td>
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<td>Coastal Studies Institute</td>
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<td>Brody Auditorium Renovations</td>
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<td>Ficklen Stadium Expansion Study</td>
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<td>Health Science Administration Space Study &amp; Renovation</td>
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<td>Health Science Campus Student Services Building</td>
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**Vice Chancellor for Administration and Finance**

September 11, 2007
Item II.C.1. – Policy on Social Security Numbers and Personal Identifying Information

Attached is the policy on Social Security Numbers and Personal Identifying Information for your review and approval. This policy is required to be compliant with general statutes of the State of North Carolina. A campus committee developed the policy which was reviewed and approved by Executive Council.
Authority: Approved by the ECU Board of Trustees. Changes to this policy may only be made by the Chancellor upon approval by the ECU Board of Trustees.

History: First Issue xxxx, 2007

Related Policies:

UNC Policy 1300.5[G] Guidelines on Use of the Social Security Number by the University

Additional Authority:

N.C. Gen. Stat. § 132-1.10. (Social Security Numbers and other Personal Identifying Information)
N.C. Gen. Stat. § 75-60 et seq. (Identity Theft Protection Act)
N.C. Gen. Stat. § 14-113.20 Identity Theft
Federal Privacy Act of 1974
NC State Privacy Act
Family Educational Rights and Privacy Act (FERPA)
Health Insurance Portability and Accountability Act of 1996 (HIPAA)

East Carolina University
Policy on Social Security Numbers and Personal Identifying Information

I. SCOPE. This policy applies to the collection, use, security and disclosure of social security numbers (SSNs) and Personal Identifying Information1 (PII) by East Carolina University (ECU) and the regulation of SSNs and PII.

II. POLICY.

a. General. SSNs and PII may only be collected, used, and/or disclosed by ECU and its employees and agents as permitted by applicable law and university policy and only in furtherance of legitimate university business.

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1 PII is all “identifying information” as defined by N.C. Gen. Stat. § 14-113.20(b) and vehicle license plate numbers. As of July 2007, “identifying information” is defined by G.S. § 14-113.20(b) to include:

- Social Security Number or employer taxpayer identification numbers
- Driver’s License, State Identification Card, or Passport Numbers
- Checking Account Numbers
- Savings Account Numbers
- Credit Card Numbers
- Debit Card Numbers
- Personal Identification (PIN) Code as defined by N.C Gen. Stat. § 14-113.8(6)
- Digital Signatures
- Any other numbers or information that can be used to access a person’s financial resources
- Biometric Data
- Fingerprints
- Passwords
b. **Identity Theft Protection Committee (ITPC).**

In order to implement and ensure compliance with legal requirements governing SSNs and PII (including, but not limited to those discussed in sections III, IV, V, and VI of this policy), ECU has established the Identity Theft Protection Committee (“ITPC”) to oversee the compliance of ECU with respect to the collection, segregation, disclosure, and security of SSNs and PII and the development of related policies. The ITPC is also responsible for approving the collection and use of SSNs and PII. A list of ITPC members can be found on the ITPC’s website located at [http://www.(TBD)](http://www.(TBD)).

c. **COLLECTING SOCIAL SECURITY NUMBERS**

1. Unless specifically authorized by the ITPC, no University entity or employee shall create a form or electronic template that requires or contains a SSN for any purpose. This prohibition includes the creation of databases, reports, internal spreadsheets or other documents that contain SSNs. SSNs will no longer be used as the University Identifier. Requests for ITPC review and approval should be e-mailed, along with the form or template for which approval is sought, to ITPC@ecu.edu.

2. For approved forms and electronic templates used for the collection of SSNs, a disclosure statement compliant with the provisions of the Federal and State Privacy Acts, respectively, and UNC Policy 1300.5[G], must be used. Compliant template disclosure statements may be copied and pasted electronically by accessing the document entitled, “Disclosure Statements for Collecting SSNs” online at [http://www.(TBD)](http://www.(TBD))

d. **SEGREGATING/SEPARATING SOCIAL SECURITY NUMBERS**

1. Pursuant to law, each University entity that properly collects SSNs must segregate/separate SSNs from the rest of the record in some manner that permits SSNs to be easily redacted/removed in the event of a public records request. For example, if a department appropriately collects SSN(s) in a document or form, the SSN should be on a line by itself so that it can be easily redacted/removed without affecting public information on the document or form. SSNs shall not be included in header or footer information or as part of the document file name.

e. **DISCLOSING SSNs and PII**

1. Pursuant to law, University entities may not intentionally communicate or otherwise make available to the general public a person’s SSN or PII. SSN and PII are confidential.
2. Disclosures of SSN or PII to University vendors, contractors or other external entities must be reviewed and approved in advance by the ITPC. The vendor, contractor or external entity must complete a form certifying its compliance with applicable law. This form is available from the ITPC and may be accessed online at [http://www.(TBD)](http://www.(TBD)). Upon execution, departments must maintain a copy of this form in their files. The collection of SSNs or PII on behalf of or as requested by another State or Federal government entity must be approved in advance by the ITPC.

3. If a court order, warrant or subpoena demanding the disclosure of SSNs or PII is served upon an ECU employee, that employee should immediately contact the Office of the University Attorney.

Requests for ITPC review, approval and disclosure of SSN or PII should be e-mailed to ITPC@ecu.edu.

**f. SECURING SOCIAL SECURITY NUMBERS AND PERSONAL IDENTIFYING INFORMATION**

1. University entities that are authorized by the ITPC to maintain SSNs or PII must utilize security measures to protect this information. Proper security measures include, but are not limited to, locked filing cabinets and offices, password-protected electronic files, and electronic encryption measures.

2. University Entities and individuals that are not authorized by the ITPC to maintain SSN or PII, or which are not seeking ITPC approval, should immediately and properly delete and/or destroy SSNs and PII from every source, wherever located and in whatever form. Guidelines for deletion may be found at [http://www.(TBD)](http://www.(TBD)).

3. Except as otherwise approved by the ITPC, the storage of SSNs or PII on local computers, laptops, portable devices or home/personal computers and/or electronic devices is prohibited unless specifically approved by the ITPC.

4. SSNs or PII may not be sent electronically (by e-mail or otherwise) unless such data is encrypted. Guidelines on encryption may be found at [http://www.(TBD)](http://www.(TBD)).

5. SSNs may not be printed on any materials that are mailed to an individual, unless state or federal law requires that the social security number be on the document to be mailed. The mailing of materials that contain SSNs must be approved in advance by the ITPC.

Questions regarding these requirements may be e-mailed to ITPC@ecu.edu.
III. FEDERAL PRIVACY ACT (FPA) and STATE PRIVACY ACT (SPA) REGULATIONS.

a. Pursuant to the Federal Privacy Act and the State Privacy Act, respectively, ECU shall not deny to any individual any right, benefit, or privilege provided by law because of such individual's refusal to disclose his/her SSN except refusal to disclose after a request pursuant to the requirements of a statute.

b. All individuals from whom SSNs are solicited shall be informed of: 1) whether or not the requested disclosure is mandatory or voluntary; and 2) by what statutory or other authority the SSN is being solicited; and 3) what uses will be made of the SSN.

IV. NORTH CAROLINA IDENTITY THEFT PROTECTION ACT OF 2005 REGULATIONS.

a. The North Carolina General Assembly enacted the North Carolina Identity Theft Protection Act in 2005 (NCIDTPA). The NCIDTPA imposed restrictions on the collection and segregation of SSNs and upon the disclosure and security of SSNs and PII as follows:

1. Pursuant to N.C. Gen. Stat. § 132-1.10 (b)(1), SSNs shall not be collected from an individual unless authorized by law to do so or unless the collection of the SSN is otherwise imperative for the performance of ECU's duties and responsibilities as prescribed by law. SSNs collected by ECU must be relevant to the purpose for which collected and shall not be collected until and unless the need for SSN has been clearly documented.

2. Pursuant to N.C. Gen. Stat. § 132-1.10 (b)(2), when collecting a SSN from an individual, the SSN must be segregated on a record in an appropriate manner that permits the SSN to be easily redacted in the event of a public records request.

3. Pursuant to N.C. Gen. Stat. § 132-1.10 (b)(3), ECU shall not fail, when collecting a SSN from an individual, to provide, at the time of or prior to the actual collection of the SSN, that individual, upon request, with a statement of the purpose or purposes for which the SSN is being collected and used.

4. Pursuant to N.C. Gen. Stat. § 132-1.10 (b)(4), ECU shall not use a SSN for any purpose other than the purpose stated.

5. Pursuant to N.C. Gen. Stat. § 132-1.10 (b)(5), SSNs and/or PII shall not be intentionally communicated or otherwise made
available to the general public. SSNs and PII are confidential except where disclosure is otherwise permitted by law.

6. Pursuant to N.C. Gen. Stat. § 132-1.10 (b)(6), SSNs shall not be intentionally printed or imbedded on any card required for an individual to access ECU services.

7. Pursuant to N.C. Gen. Stat. § 132-1.10 (b)(7), unless the connection is secure or the social security number is encrypted, an individual shall not be required to transmit his/her social security number over the Internet.

8. Pursuant to N.C. Gen. Stat. § 132-1.10 (b)(8), an individual shall not be required to use his/her SSN to access an Internet web site, unless a password or unique personal identification number or other authentication device is also required to access the Internet web site.

9. Pursuant to N.C. Gen. Stat. § 132-1.10 (b)(9), SSNs shall not be printed on any materials that are mailed to an individual unless state or federal law requires the SSN to be on the document to be mailed. A SSN that is permitted to be mailed may not be printed, in whole or in part, on a postcard or other mailer not requiring an envelope, or visible on the envelope or without the envelope having been opened.

10. Pursuant to N.C. Gen. Stat. § 132-1.10 (c)(1), SSN(s) and PII may be disclosed to another governmental entity or its agents, employees, or contractors if the disclosure is necessary for the receiving entity to perform its duties or responsibilities. The receiving governmental entity and its agents, employees, and contractors shall maintain the confidential and exempt status of such numbers.

11. Pursuant to N.C. Gen. Stat. § 132-1.10 (c)(2), SSNs and PII may be disclosed pursuant to a valid court order, warrant or subpoena. Please contact the Office of the University Attorney if a court order, warrant or subpoena is served.

12. Pursuant to N.C. Gen. Stat. § 132-1.10 (c)(3), SSNs and PII SSNs and PII may be disclosed for public health purposes pursuant to and in compliance with Chapter 130A of the General Statutes.

13. Unauthorized Access or Disclosure of SSNs and PII. Any time where it is believed that SSNs and/or PII maintained by ECU has/have been subject to unauthorized access or disclosure by an
unauthorized party, the incident should be reported immediately to the appropriate Vice Chancellor and to the Office of the University Attorney.

V. **Family Educational Rights and Privacy Act (FERPA) Restrictions.**

Student SSNs and PII maintained by ECU are Education Records pursuant to FERPA. As such, student SSNs and PII may not be disclosed except as permitted by FERPA. Generally, express written permission from the student is required for disclosure of this information to a third party. Please contact the University Registrar with questions.

VI. **Health Insurance Portability and Accountability Act of 1996 (HIPAA) Restrictions.**

SSNs are also considered “protected health information” (PHI) under the HIPAA Privacy rules. As such, the use and disclosure of SSNs are subject to other restrictions under those rules and the ECU policies that govern the use and disclosure of PHI. Please contact the ECU HIPAA Privacy Officer with any questions related to the proper use and disclosure of SSNs under the HIPAA Privacy rules. Information can also be found on the ECU HIPAA website at [http://www.ecu.edu/hipaa/](http://www.ecu.edu/hipaa/).

Approved by: Executive Council  Date:  **September 10, 2007**

Approved by: Board of Trustees  Date:  ____________________________
Identify Theft Prevention Committee:

Angela Anderson (Registrar), Jack Brinn (ITCS), Joan Kavuru (BSOM Compliance), Charles Peele (Student Life), Wayne Poole (Internal Audit), Margaret Streeter (IT Security), Karen Summerlin (Human Resources), Mark Taggart (Faculty Senate), Paul Zigas (Legal), Frank Evans (BSOM Billing), Mary Thompson (BSOM Electronic Medical Record), and David Price (Financial Services)